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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/695,207	10/28/2003	Anthony J. Beavers	B73030C2 (015538/0000)	4516
20594	7590	03/16/2004	EXAMINER	
CHRISTOPHER J. ROURK AKIN, GUMP, STRAUSS, HAUER & FELD, L.L.P. P O BOX 688 DALLAS, TX 75313-0688			BROCKETTI, JULIE K	
			ART UNIT	PAPER NUMBER
			3713	

DATE MAILED: 03/16/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/695,207

Applicant(s)

BEAVERS, ANTHONY J.

Examiner

Julie K Brockett

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 28 October 2003.
- 2a) This action is **FINAL**. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 13-20 and 36-45 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 13-17, 20 and 36-45 is/are rejected.
- 7) Claim(s) 18 and 19 is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) All b) Some * c) None of:
1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. _____.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) Interview Summary (PTO-413)
Paper No(s)/Mail Date: _____
- 5) Notice of Informal Patent Application (PTO-152)
- 6) Other: _____

DETAILED ACTION

Priority

An application in which the benefits of an earlier application are desired must contain a specific reference to the prior application(s) in the first sentence of the specification of in an application data sheet (37 CFR 1.78(a)(2) and (a)(5)). The specific reference to any prior nonprovisional application must include the relationship (i.e., continuation, divisional, or continuation-in-part) between the applications except when the reference is to a prior application of a CPA assigned the same application number. In the amended specification, it lists priority to 10/116632, which is incorrect, the priority application is 10/116632.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application

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designated the United States and was published under Article 21(2) of such treaty in the English language.

Claim 17 is rejected under 35 U.S.C. 102(b) as being anticipated by Halaby, U.S. Patent No. 5,299,803. Halaby discloses a system for obtaining data for use in a table game system. A player position entry system comprises to or more keys corresponding to player locations at a table game. A cheque value system has a plurality of keys, wherein each key is associated with a cheque value. The cheque value system receives one or more cheque value selections and provides the cheque value selections to the game table (See Halaby Fig. 1; col. 4 lines 5-35).

Claims 13-15 and 36-45 are rejected under 35 U.S.C. 102(e) as being anticipated by Soltys et al., U.S. Patent No. 6,460,848 B1. Soltys discloses a system for obtaining data for use in a table game system. A patron identification system receives patron identification data. The patron identification system comprises a card recognition system receiving a card and extracting the patron identification data from the card. The card is a magnetic stripe card (See Soltys col. 22 lines 43-49). A cheque value system is used for receiving one or more cheque value selections and providing the cheque value selections to the table game system (See Soltys col. 9 lines 26-62; col. 11 lines 32-42; col. 13 lines 16-23). A position system generates position data. The position system comprises an image system generating image data and a card detection system receiving the image data and generating card data from the image data (See Soltys col. 6 lines 36-38). A player detection system receives

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the image data and generates player position data from the image data (See Soltys col. 22 lines 54-65). A wager system generates wager data. The wager system comprises two or more zone sensors generating zone data. A cheque value system receives the zone data and generates wager data from the zone data (See Soltys Fig. 13; col. 9 lines 54-62). The position data and the wager data are representative of positions and wagers at a table game in a casino (See Soltys Fig. 1). A payout system receives the position data and the wager data and generates payout data (See Soltys col. 13 lines 61-67). The payout system further comprises a blackjack, craps or roulette payout system (See Soltys col. 4 lines 43-46). The position system comprises a ball position system and a dice position system (See Soltys col. 24 lines 30-33).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 16 is rejected under 35 U.S.C. 103(a) as being unpatentable over Soltys et al. in view of Halaby, U.S. Patent No. 5,299,803. Soltys et al. lacks in disclosing that the cheque value system comprises keys. Halaby teaches of a gaming table in which cheques are monitored on the table. The cheque value

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system comprises a plurality of keys, wherein each key is associated with a cheque value (See Halaby Fig. 1, col. 2 lines 48-63). It would have been obvious to one of ordinary skill in the art at the time the invention was made to include a plurality of keys in the cheque value system of Soltys. By including keys, players do not have to physically touch the cheques, they can simply use the keys to wager their bet; therefore, by not having the players touch the cheques, added security is provided to the table game in that the players may not palm cheques or cheat in other ways by physically moving around the cheques.

Claim 20 is rejected under 35 U.S.C. 103(a) as being unpatentable over Soltys et al. in view of Hogan, U.S. Patent No. 6,267,671 B1. Soltys et al. lacks in disclosing a card entry device. Hogan teaches of a card entry device angled so as to allow an operator to easily provide a card to the card entry device. The card entry device receives account data from the card and provides the account data to the table game system (See Hogan Figs. 1-3; col. 7 lines 32-37). It would have been obvious to one of ordinary skill in the art at the time the invention was made to include a card entry device for receiving account data from the card in the invention of Soltys. By accessing account information from a player's card, the player does not have to carry around cash and all monetary transactions can be done through the card account. Therefore, the player and the casino do not have to be burdened with having to deal with cash.

Allowable Subject Matter

Claims 18 and 19 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter: The prior art of record lacks in disclosing a housing containing a position entry system and a cheque value system in which the housing is placed over a drop slot of the table game.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Julie K Brockett whose telephone number is 703-308-7306. The examiner can normally be reached on M-Th 7:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Teresa Walberg SPE can be reached on 703-308-1327. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



MICHAEL O'NEILL
PRIMARY EXAMINER